

1 WILDE & ASSOCIATES
 2 Gregory L. Wilde, Esq.
 3 Nevada Bar No. 004417
 4 208 South Jones Boulevard
 5 Las Vegas, Nevada 89107
 6 Telephone: 702 258-8200
 7 bk@wildelaw.com
 8 Fax: 702 258-8787

Electronically Filed on _____

6 MARK S. BOSCO, ESQ.
 7 Arizona Bar No. 010167
 8 TIFFANY & BOSCO, P.A.
 9 2525 East Camelback Road, Suite 300
 10 Phoenix, Arizona 85016
 11 Telephone: (602) 255-6000
 12 **Attorney for Secured Creditor**

13 BAC Home Loans Servicing, L.P. fka Countrywide Home Loans Servicing, L.P.
 14 09-77956

15 UNITED STATES BANKRUPTCY COURT
 16 DISTRICT OF NEVADA

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| 17 In re: | 18 BK09-29326-bam |
| 19 Joseph R. Esquivel, Jr. and Lori Esquivel | 20 Chapter 7 |
| 21 Debtor(s). | 22 AMENDED NOTICE OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY HEARING DATE: 1/6/2010 HEARING TIME: 8:30 am |
| | 23 ESTIMATED TIME: 5 Minutes |

24 TO THE HONORABLE BRUCE A MARKELL, THE DEBTORS, DEBTORS'S ATTORNEY
 25 OF RECORD AND THE CHAPTER 7 TRUSTEE, AND OTHER INTERESTED PARTIES:

26 PLEASE TAKE NOTICE that on the 6th day of January, 2010 at 8:30 am before United
 States Bankruptcy Judge, the Honorable Bruce A Markell, in Courtroom 3 located at the Foley
 Federal Building, 300 Las Vegas Boulevard South, Las Vegas, Nevada. BAC Home Loans
 Servicing, L.P. fka Countrywide Home Loans Servicing, L.P., it's assignees and/or successors
 in interest and assigns ("Movant"), will move this Court, pursuant to 11 U.S.C. §362(d), for an

1 order terminating the automatic stay, to allow Movant to proceed with its non-bankruptcy
2 remedies, including, but not limited to foreclosure upon obtaining possession of and selling the
3 subject real property located at 6940 Surrey Court, Las Vegas, NV 89145 (the "subject real
4 property").

5 PLEASE TAKE FURTHER NOTICE that Local Bankruptcy Rule 9014(d)(1) requires
6 that any opposition to the motion must be filed and service completed upon the Movant not
7 more that fifteen (15) days after service of the motion. The opposition must set forth all relevant
8 facts and must contain a legal memorandum. An opposition may be supported by affidavits or
9 declarations that conform to the provisions of this rule.
10

11 If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with
12 the court. You *must* also serve your written response on the person who sent you this notice.

13 If you do not file a written response with the court, or if you do not serve your written response
14 on the person who sent you this notice, then:

- 15 ☐ The court may *refuse to allow you to speak* at the scheduled hearing; and
16 ☐ The court may *rule against you* without formally calling the matter at the hearing

17 DATED this 23rd day of December, 2009.

18 **WILDE & ASSOCIATES**

19 By:  /s/ Gregory L. Wilde, Esq

20 GREGORY L. WILDE, ESQ.

21 Attorney for Secured Creditor
22 208 South Jones Boulevard
23 Las Vegas, Nevada 89107
24
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16 09-77956

17 **UNITED STATES BANKRUPTCY COURT**
18 **DISTRICT OF NEVADA**

19 In Re:

BK-S-09-29326-bam

20 Joseph R. Esquivel, Jr. and Lori Esquivel

Date: 1/6/2010

Time: 8:30 am

Chapter 7

21 Debtors.

22 **CERTIFICATE OF SERVICE**

23 1. On 12/23/2009 I served the following document(s):

24 NOTICE AND MOTION FOR RELIEF FROM AUTOMATIC STAY

25 2. I served the above-named document(s) by the following means to the persons as listed below:

26 **X a. ECF System**

Dorothy G. Bunce
bunce@hotpop.com
Attorney for Debtors

Yvette Weinstein
yweinsteinhds@earthlink.net
Trustee

X b. United States mail, postage fully prepaid:

Dorothy G. Bunce
2037 Franklin Ave.
Las Vegas, NV 89104
Attorney for Debtors

Joseph R. Esquivel, Jr. and Lori Esquivel
6940 Surrey Ct
Las Vegas, NV 89145
Debtors

Bank Of America
Attn: Managing Agent
4161 Piedmont Parkway
Greensboro, NC 27410
"Via Certified Mail"

☐ c. Personal Service (List persons and addresses. Attach additional paper if necessary)

I personally delivered the document(s) to the persons at these addresses:

☐ 1. For a party represented by an attorney, delivery was made by handing the document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge by leaving the document(s) in a conspicuous place in the office.

N/A

☐ 2. For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.
N/A

☐ d. By direct mail (as opposed to through the ECF System)

(List persons and email addresses. Attach additional paper if necessary)

1 Based upon the written assignment of the parties to accept service by email or a court order. I
2 caused the document(s) to be sent to the persons at the mail addresses listed below. I did not
3 receive, within a reasonable time after the transmission, any electronic message or other
4 indication that the transmission was unsuccessful.

5 ☐ **e. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

6 Based upon the written assignment of the parties to accept service by fax transmission or
7 a court order. I faxed the document(s) to the persons at the fax numbers listed below. No error
8 was reported by the fax machine that I used. A copy of the record of the fax transmission is
9 attached.

10
11 ☐ **f. By messenger** *(List persons and addresses. Attach additional paper if necessary)*

12
13 I served the document(s) by placing them in an envelope or package addressed to the
14 persons at the addresses listed below and providing them to a messenger for service.

15
16 **I declare under penalty of perjury that the foregoing is true and correct.**

17 DATED this 23rd day of December, 2009.

18
19 By: A handwritten signature in dark ink, consisting of stylized, overlapping loops, is written over a horizontal line. A vertical line extends downwards from the center of the signature.